



Ordinary Meeting of Council

9 October 2024

**UNDER SEPARATE COVER
ATTACHMENTS**

ITEMS 4.2 TO 8.5

(WITH THE EXCEPTION OF ITEM 5.1)

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

ATTACHMENTS – 9 October 2024 Page i

Item 4.2	Election of Mayor for the 2024 - 2026 Term	
	<i>Attachment 1 Mayor Nomination Form 2024-2026</i>	2
	<i>Attachment 2 Mayoral Elections Fact Sheet</i>	4
Item 4.3	Election of Deputy Mayor	
	<i>Attachment 1 Deputy Mayor Nomination Form 2024-2026</i>	11
Item 8.2	Delegations to the General Manager	
	<i>Attachment 1 Instrument of Delegation to General Manager</i>	13
Item 8.3	Council Meeting Schedule	
	<i>Attachment 1 QPRC Code of Meeting Practice</i>	19
Item 8.5	Councillor Member Audit, Risk and Improvement Committee (ARIC)	
	<i>Attachment 1 ARIC Charter 2023</i>	57

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

9 OCTOBER 2024

ITEM 4.2 ELECTION OF MAYOR FOR THE 2024 - 2026 TERM

ATTACHMENT 1 MAYOR NOMINATION FORM 2024-2026



**NOMINATION FORM FOR
POSITION OF MAYOR
2024 - 2026**

I/We hereby nominate Cr for the
position of Mayor of Queanbeyan-Palerang Regional Council for the 2024-2026 term.

Nominator: Cr
Name

.....
Signature

.....
Date

Secunder: Cr
Name

.....
Signature

.....
Date

I, Cr hereby accept the nomination
for the position of Mayor of Queanbeyan-Palerang Regional Council for the 2024-
2026 term.

.....
(Signature) *(Date)*

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

9 OCTOBER 2024

ITEM 4.2 ELECTION OF MAYOR FOR THE 2024 - 2026 TERM

ATTACHMENT 2 MAYORAL ELECTIONS FACT SHEET

Fact Sheet

ELECTION OF MAYOR AND DEPUTY MAYOR BY COUNCILLORS



Summary

Councillors must elect a mayor from among their number every two years unless they have a popularly elected mayor.

Councillors may also elect a deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term.

The election of the mayor and the deputy mayor must be conducted in accordance with section 394 and Schedule 7 of the *Local Government (General) Regulation 2021* (the Regulation).

The purpose of this document is to assist councils to conduct mayoral and deputy mayoral elections in accordance with these requirements. It includes scripts for key activities to help returning officers exercise their functions. These scripts are provided in the text boxes inserted in the relevant parts of this document.

How can councils use this document?

Electing a mayor is an important activity. It is vital that the process is smooth, open and easy to follow and not rushed or confusing. Where necessary, it may be appropriate to stop and provide clarification for the benefit of councillors, staff or the gallery.

Returning officers can circulate this document prior to the meeting to help councillors understand the election process.

Election of a mayor after an ordinary election of councillors

An election for mayor must be held within three weeks of the declaration of the ordinary election at a meeting of the council.

The returning officer is to be the general manager or a person appointed by the general manager.

As no mayor or deputy mayor will be present at the start of the meeting, the first business of the meeting should be the election of a chairperson to preside at the meeting. Alternatively, the returning officer may assume the chair for the purpose of conducting the election.

Mid-term election of a mayor

A mayor elected by councillors holds office for two years. A mid-term mayoral election must be held in the September two years after the ordinary election of councillors or the first election of a new council following its establishment.

Procedures

Prior to the meeting

Before the council meeting at which the election is to be conducted, the returning officer will give notice of the election to the councillors.

The notice is to set out how a person may be nominated as a candidate for election as chairperson.

As returning officer, I now invite nominations for the position of mayor/deputy mayor for [name of council] for a two year period.

In accordance with the Local Government (General) Regulation 2021, two or more councillors may nominate a councillor (one of whom may be the nominee) for the position of mayor/deputy mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.

A councillor may be nominated without notice for election as mayor or deputy mayor. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The returning officer checks the nomination forms and writes the nominees' names on a candidates' sheet.

At the meeting

At the start of the first meeting after an ordinary election, in the absence of a chairperson, the returning officer assumes the chair and announces that the first item of business is to be the election of a mayor.

If a chairperson is present, they announce that the first item of business is the election of the mayor then vacates the chair for the returning officer who will then conduct the election.

The returning officer reads out the names of the nominees and seeks confirmation that the nominee has accepted the nomination.

If only one councillor has been nominated for the position of mayor/deputy mayor, the nominee is elected.

As there is only one nominee for the role of mayor/deputy mayor, I declare that [name of successful candidate] is elected as mayor/deputy mayor for the ensuing two years.

If more than one candidate has been nominated, the council must determine by resolution, the method of voting for the position of mayor/deputy mayor, by way of one of the following methods:

- Open voting – i.e. by show of hands
- Ordinary ballot – i.e. a secret ballot (place an "X" against the candidate of their choice)
- Preferential ballot – i.e. place 1, 2, 3 etc. against each candidate.

The returning officer must ask for a motion to be put to the meeting by one of the councillors on the preferred method of voting for the election of a chairperson. This must then be seconded and voted on by the councillors.

Note: In the event of a tie, if there is a chairperson, they may use their casting vote. If there is a tie and no chairperson, an election for the role of chairperson should be conducted. Then the election for mayor resumes.

Open voting (show of hands)

Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods.

The returning officer will advise the meeting of the method of voting and explains the process.

It has been resolved that the method of voting for the position of mayor/deputy mayor will be by show of hands.

Each councillor is entitled to vote for only one candidate in each round of voting.

I will now write each candidate's name on a slip of paper and deposit it in a barrel. The first name out of the barrel will be written first on the tally sheet, with second name out being written second on the tally sheet, etc.

When all candidates' names have been written on the tally sheet, the returning officer announces the names of the candidates and, commencing with the first candidate, states the following:

Would those councillors voting for [name of candidate] please raise your hand.

The returning officer records the number of votes for each successive candidate on the tally sheet and announces the number of votes received for each candidate.

The minute taker records the vote of each councillor.

The returning officer should check with the minute taker that each councillor has voted. If a councillor has not voted it should be confirmed that they are abstaining (an informal vote).

Two candidates

If there are only two candidates for the position of mayor/deputy mayor and the voting is higher for one candidate than another (number of formal votes recorded on the tally sheet), the returning officer then announces the result.

[Name of candidate] has the higher number of formal votes and as a result I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

In the event of a **tied vote**, the returning officer will advise the meeting of the following process.

In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the

names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Three or more candidates

If there are three or more candidates, the candidate with the lowest number of votes for the position of mayor/deputy mayor is excluded.

[Name of candidate], having the lowest number of votes, is excluded.

The voting continues as above until there are only two candidates remaining (see voting for **two candidates** above).

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

I declare that [name of candidate] is excluded.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Ordinary ballot – (secret ballot)

The returning officer advises the meeting of the method of voting and explains the process.

It has been resolved that the method for voting for the position of mayor/deputy mayor will be by ordinary ballot, in other words by placing an "X" against the candidate of the councillor's choice.

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

It will be necessary to have a number of blank papers as this process may require more than one round of voting.

The returning officer writes the names on one set of the ballot papers and initials the front of each ballot paper.

A staff member distributes the ballot papers and collects them into the ballot box when completed and gives it to the returning officer who counts the votes and records them on the tally sheet.

The returning officer announces the results.

[Name of candidate], having the lowest number of votes, is excluded.

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

I declare that [name of candidate] is excluded.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

The returning officer writes the names of the remaining candidates on a further set of the ballot papers and initials the front of each ballot paper.

The staff member distributes ballot papers listing the remaining candidates and collects them into the ballot box when completed and gives it to the returning officer who again counts the votes and records them on the tally sheet and announces the results.

The process continues until two candidates remain, where a final vote takes place.

[Name of candidate] has the higher number of votes and I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

In the event of a **tied vote** between the two remaining candidates, the returning officer makes the following statement and announces the process.

The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel.

Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Preferential ballot

The returning officer explains the process.

It has been resolved that the method for voting for the position of mayor/deputy mayor will be by preferential ballot, i.e. placing 1, 2 and so on against the candidate of the councillor's choice in order of preference for all candidates.

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each candidate's name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

The returning officer writes the names on the ballot papers and initials the front of each ballot paper. This method of voting requires only one set of ballot papers.

A staff member distributes the ballot papers and collects them when completed and gives them to the returning officer who counts the first preference votes and records them on the tally sheet.

If a candidate has an absolute majority of first preference votes (more than half), the returning officer declares the outcome.

[Name of candidate], having an absolute majority of first preference votes, is elected as mayor/deputy mayor for the ensuing two years.

If no candidate has the absolute majority of first preference votes, the returning officer excludes the candidate with the lowest number of first preference votes.

[Name of candidate], having the lowest number of first preference votes, is excluded.

The preferences from the excluded candidate are distributed. This process continues until one candidate has received an absolute majority of votes, at which time the returning officer announces the result.

[Name of candidate], having an absolute majority of votes, is elected as mayor/deputy mayor for the ensuing two years.

In the event of a **tied vote** where there are only two candidates remaining in the election, the returning officer explains the process.

The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel. The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

In the event that the **lowest number of votes are tied** and where there are three or more candidates remaining in the election, the returning officer advises the meeting of the process.

In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded and their preferences distributed.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is excluded and any votes cast for them will be distributed by preference.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Schedule 7 - Election of Mayor by Councillors

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this section:
ballot has its normal meaning of secret ballot.
open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subsection (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Section 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subsection (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this section, "**absolute majority**", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- b) to be delivered or sent to the Secretary and to the Chief Executive of Local Government NSW.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

9 OCTOBER 2024

ITEM 4.3 ELECTION OF DEPUTY MAYOR

ATTACHMENT 1 DEPUTY MAYOR NOMINATION FORM 2024-2026



**NOMINATION FORM FOR
POSITION OF DEPUTY MAYOR
2024-2026**

I/We hereby nominate Cr..... for the position
of Deputy Mayor of Queanbeyan-Palerang Regional Council for the 2024-2026 term.

Nominator: Cr
Name

.....
Signature

.....
Date

Secunder: Cr
Name

.....
Signature

.....
Date

I, Cr hereby accept the nomination for
the position of Deputy Mayor of Queanbeyan-Palerang Regional Council for the 2024-
2026 term.

.....
(Signature) *(Date)*

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

9 OCTOBER 2024

ITEM 8.2 DELEGATIONS TO THE GENERAL MANAGER

ATTACHMENT 1 INSTRUMENT OF DELEGATION TO GENERAL MANAGER



Queanbeyan-Palerang Regional Council
INSTRUMENT OF SUB-DELEGATION TO GENERAL MANAGER
(PN: 1000)

On 9 October 2024, the Queanbeyan-Palerang Regional Council (**Council**) resolved that:

1. All previous delegations of Functions the subject of this instrument be revoked.
2. The person who holds the role of General Manager of Council within the meaning of section 334 of the Local Government Act 1993, being at the date of this instrument, Rebecca Ryan, be delegated authority under section 377 of the Local Government Act 1993, to exercise and/or perform on behalf of Council, the Council's delegable functions under all Legislation in force and as amended from time to time:
 - a. **Subject to** any condition or limitation on a Function specified in section 377(1A) and Schedule 1.
 - b. **Excluding** those Functions:
 - i. That are expressly prohibited from delegation as listed under Section 377 of the Local Government Act 1993.
 - ii. Which are expressly required by legislation to be exercised by a resolution of the Council.
 - c. Specifically noting any Functions that can be sub-delegated to the General Manager by resolution, in accordance with section 377(2) of the Local Government Act 1993, except those provided below:

None applicable
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the Council set out in Schedule 2, excluding those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in Schedule 3 and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated any Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the Local Government Act 1993.
6. In the absence of the General Manager a person appointed by Council Resolution will act as Interim General Manager and assume all Functions, delegations and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.

7. The General Manager will delegate and appoint a Director as Acting General Manager for any planned leave (Annual, Sick or Long Service) Leave under 4 weeks in duration and will notify Councillors of such arrangements.
8. For any planned leave longer than 4 weeks in duration, the General Manager will prepare a report to Council appointing an Acting General Manager by way of Council Resolution.
9. These delegations and authorities are subject to, and are to be exercised in accordance with:
 - a. The requirements of the relevant Legislation;
 - b. Any conditions or limitations set out in Schedule 1 and Schedule 3, and
 - c. Any resolution or policy, procedure or budget adoption from time to time by the Council.
10. These delegations and authorities are effective from the date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
11. In this delegation:
 - **Functions** means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - **Legislation** means legislation enacted by the parliament of New South Wales and the parliament of the Commonwealth of Australia, including an Act, Regulation made under an Act, by-law, rule of ordinance.
 - **Local Government Act 1993** means the Local Government Act 1993 as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function	
Legislation	Limitation (if any)
Section 377(1)(a-u)	The General Manager cannot use the delegation in relation to those Functions specified in clauses (a) to (u) of section 377(1) of the Local Government Act 1993.
Part B – General Limitations	
Legislation	Limitation (if any)
Clause 213 of the Local Government (General) Regulation 2021 (the Regulation)	Fixes the amount, pursuant to the Regulation, above which debts (incurred because of fees/charges) to the Council may be written off only be resolution of the Council to be \$10,000. A debt of or below that amount can be written off, by order, in writing by the General Manager and details reported to the ARIC on a quarterly basis.
Section 356 of the Local Government Act 1993 (the Act)	In accordance with Council's Donations Policy, the General Manager may waive/reduce fees incurred in respect of Category B and H Funding up the value of \$10,000.
Section 26 of the Local Government Act 1993 (the Act)	The authority to execute leases, licences and other estates over land if: 1.The land is classified as Operational under section 26 of the Act; 2.Revenue generated under the lease, licence or other estate is valued at \$10,000 per annum (excluding GST) or less.
Section 393B(1)(a) of the Local Government (General) Regulation 2021 (the Regulation)	Council delegate to the General Manager the authority to accept all tenders, except tenders to provide services currently provided by members of staff, during the following Council recesses: 1. Between the last meeting of the Council for the calendar year and the first meeting of the following year, with the agreement of the Mayor, or in the absence of the Mayor, the Deputy Mayor; 2. Between the last meeting of the Council term and the day appointed for the next ordinary election; with the agreement of the Mayor, or in the absence of the Mayor, the Deputy Mayor, and remaining compliant with section 393B(1)(a) of the Local Government (General) Regulation 2021, and 3. Between the day appointed for the ordinary election and the first meeting of the new Council term, with the agreement of the Mayor. The General Manager cannot do so if the value of the tender exceeds \$1,000,000 ex GST.

Schedule 2: Instruments of Delegation to Council

Delegator	Function & Instrument Name	Date Of Instrument
Not applicable	Not applicable	Not applicable

Schedule 3: Policy Authorities

Code	Policy Authority	Conditions / Limitations (if any)
Mayor	<ol style="list-style-type: none"> 1. Authority to determine applications for leave by the General Manager; 2. Authority to respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council; 3. Authority to present Certificates of Australian Citizenship after applicants have pledged the Oath or Affirmation of Allegiance, as provided by the Australian Citizenship Act 2007; 4. Authority to authorise urgent or emergency works in conjunction with the General Manager up to an amount of \$20,000.00; 5. To authorise, in conjunction with the General Manager, the payment of travelling expenses where such function if outside the ACT-Queanbeyan area and was considered to be on the business of Council, in accordance with Council's policy for the payment of expenses and provision of facilities to Mayor and Councillors; 6. To sign and seal documents, in conjunction with the General Manager, covering matters approved by Council; 7. To make media statements and issue press releases in respect of Council's resolutions and decisions and to respond to other media matters as appropriate, and 8. To sign outgoing correspondence in relation to the Mayor, however, those matters relating to the day-to-day management of the Council are matters that remain with the General Manager to sign. 	

Pursuant to Resolution No **xx/xx** of the Council at its meeting of **9 October 2024**.

Mayor of Queanbeyan-Palerang Regional Council

Date:

General Manager's acknowledgement of Delegations of Authority

I, Rebecca Ryan, currently employed by the Council in the position of General Manager, do hereby acknowledge that I have read and understood this Instrument of Delegation and that I will perform these delegations and authorise in accordance with this Instrument of Delegation and my position description.

Rebecca Ryan

General Manager of Queanbeyan-Palerang Regional Council

Date:

© 2024 - Local Government Legal

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

9 OCTOBER 2024

ITEM 8.3 COUNCIL MEETING SCHEDULE

ATTACHMENT 1 QPRC CODE OF MEETING PRACTICE



Code of Meeting Practice

Date policy was adopted:	21 December 2022
Resolution number:	520/22
Next Policy review date:	September 2024
Reference number:	52.5.4
Strategic Pillar:	Executive
Responsible Branch:	Governance & Legal

This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Explanatory Note:

QPRC's Code of Meeting Practice is based upon the NSW Government's *Model Code of Meeting Practice 2021* on which all councils are required to base their meeting codes. The Model Code contains '**Mandatory**' provisions which must be included in the QPRC Code.

Council has retained the same clause numbering as set out in the NSW Model Code. However, because the Model Code contains clauses relating only to Joint Organisations and County Councils and has several optional clauses, these clauses have been removed from QPRC's Code of Meeting Practice. Set out below is a list of the clauses which have been deleted from QPRC's Code.

Deleted clauses which do not appear in QPRC's Code of Meeting Practice are:

- 3.2
- 4.15
- 4.16
- 5.3
- 5.28-5.33
- 8.1
- 10.31
- 11.4
- 11.6 – 11.9
- 11.13
- 15.14
- 20.7



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Table of Contents

Code of Meeting Practice	1
1 INTRODUCTION.....	4
2 MEETING PRINCIPLES	4
3 BEFORE THE MEETING.....	4
4 PUBLIC FORUMS	8
5 COMING TOGETHER	11
6 THE CHAIRPERSON	15
7 MODES OF ADDRESS	16
8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	16
9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	16
10 RULES OF DEBATE	18
11 VOTING.....	21
12 COMMITTEE OF THE WHOLE.....	22
13 DEALING WITH ITEMS BY EXCEPTION.....	22
14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	23
15 KEEPING ORDER AT MEETINGS	26
16 CONFLICTS OF INTEREST.....	29
17 DECISIONS OF THE COUNCIL.....	29
18 TIME LIMITS ON COUNCIL MEETINGS.....	31
19 AFTER THE MEETING.....	31
20 COUNCIL COMMITTEES.....	32
21 IRREGULARITIES.....	35
22 DEFINITIONS	36



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

1 INTRODUCTION

- 1.1 Queanbeyan-Palerang Regional Council's Code of Meeting Practice is based upon the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) which is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).
- 1.2 The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.
- 1.3 Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.
- 1.4 A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.
- 1.5 A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

2 MEETING PRINCIPLES

- 2.1 Council and committee meetings should be:
 - Transparent:* Decisions are made in a way that is open and accountable.
 - Informed:* Decisions are made based on relevant, quality information.
 - Inclusive:* Decisions respect the diverse needs and interests of the local community.
 - Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
 - Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
 - Respectful:* Councillors, staff and meeting attendees treat each other with respect.
 - Effective:* Meetings are well organised, effectively run and skilfully chaired.
 - Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions:
 - The second and fourth Wednesday of each month, except for January and December, as per the time and location set out in the meeting calendar on QPRC's website.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Extraordinary meetings

- 3.3 If the Mayor receives a request in writing, signed by at least two (2) councillors, the Mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14 days) after receipt of the request. The Mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The Council's General Manager (GM) must send to each councillor, at least three (3) business days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) business days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by noon of the Wednesday one week prior to the meeting being held.



Code of Meeting Practice

- 3.11 A councillor may, in writing to the GM, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the GM considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the GM may prepare a staff comment or report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted Delivery Program and Operational Plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the GM must prepare a staff comment or report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council.

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the GM about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the GM or a member of staff of the council, or a question that implies wrongdoing by the GM or a member of staff of the council.
- 3.16 The GM or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The GM must prepare the agenda for a meeting of the council or a committee at least four (4) business days before the meeting.
- 3.18 The GM must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral Minute to a meeting under clause 9.6.
- 3.20 The GM must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the GM, the business is, or the implementation of the business would be, unlawful. The GM must report, without giving details of the item of business, any such exclusion to the next meeting of the council.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the GM, is likely to take place when the meeting is closed to the public, the GM must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The GM must ensure that the details of any item of business which, in the opinion of the GM, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

- 3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website. Printed copies will be made upon request by the public for collection at any Council offices, with a limit of one copy per family/group.

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the GM has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.28 The GM must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.
- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the GM may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The GM or a member of staff nominated by the GM is to preside at pre-meeting briefing sessions and record attendance and any conflicts of interest from attendees as per clause 3.38.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum as part of its meeting process for the council. The purpose of the public forum is to:
- hear oral submissions from members of the public on items of business to be considered at the meeting,
 - acknowledge receipt of written submissions from members of the public on items of business to be considered at the meeting,
 - table petitions,
 - receive or make special presentations to or from members of the community or organisations, at the invitation of the GM, and



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- table responses to Questions on Notice from the public on any issue relating to the Council's legislative responsibilities and activities. Public forums may also be held at extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the Mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by the Clerk of the Chamber prior to the commencement of the meeting at which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the recommendation in the business paper. No materials are able to be circulated to Councillors to support a speech during the public forum
- 4.5 A person may apply to speak on more than one item of business on the agenda of the council meeting but must do so within the allocated time limit as set by this code.
- 4.6 Speakers who have registered to speak at the public forum via audio-visual link will be heard before those who have registered to speak in-person in the Chambers. Speakers will be heard in order of agenda item number. If multiple speakers register to speak on the same agenda item, they will be heard in chronological order of registration.
- 4.7 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.8 The GM or their delegate may refuse an application to speak at a public forum. The GM or their delegate must give reasons in writing for a decision to refuse an application.
- 4.9 No more than ten (10) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.10 If more than the ten (10) speakers apply to speak 'for' or 'against' any item of business, the GM or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the GM or their delegate is to determine who will address the council at the public forum.
- 4.11 If more than the ten (10) speakers apply to speak 'for' or 'against' any item of business, the GM or their delegate may, in consultation with the Mayor or the Mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.12 Each speaker will be allowed three (3) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 At the discretion of the Mayor, a speaker is able to be granted a two (2) minute extension to the allowed time. No further extensions to time will be permitted after this.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

- 4.15 Speakers at the public forum should not ask questions of the council, councillors or council staff. There is no obligation for council, councillors or council staff to respond specifically to the presentation during the meeting.
- 4.16 The GM or their nominee may, with the concurrence of the chairperson, address the council for up to two minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.17 Where an address made at a public forum raises matters that require further consideration by council staff, the GM may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.18 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.19 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.18, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.20 Clause 4.19 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.21 Where a speaker engages in conduct of the type referred to in clause 4.18, the GM or their delegate may refuse further applications from that person to speak at public forums for such a period as the GM or their delegate considers appropriate.
- 4.22 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note 1: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

Note 2:

- The Chair will adjourn the meeting to allow for the commencement of the public forum.
- The public forum will commence where speakers will address the council. This will be followed by the acknowledgement of written submissions (if any), tabling of petitions (if any), special presentations (if any) and questions on notice (if any).
- Petitions must be submitted to the GM as per the requirements of Council's Petition Policy and Questions on Notice must be submitted to the GM in line with instructions on Council's website. Responses to questions will be tabled at subsequent public forums and be published on Council's website.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- Questions on Notice that are related to content discussed at Councillor Workshops will not be accepted as workshop content, apart from the information published on Council's website and in the business paper, remains confidential.
- Once all items in the public forum have been dealt with, the Chair will close the public forum and reconvene the Council meeting to deal with the remaining items within the order of business as set out in this Code.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present or attending the meeting by an operating audio-visual link.

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the GM at least one (1) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the GM.
- 5.13 The GM must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the Mayor may, in consultation with the GM and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the full council or a committee of the whole council may be held by audio-visual link where the Mayor determines that the meeting should be held by audio-visual link because of a natural disaster, a public health emergency or other reason. The Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The Mayor must make a determination under this clause in consultation with the GM and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the GM must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the GM is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link.
- 5.20 A request by a councillor to attend a meeting by audio-visual link must be made in writing to the GM at least two (2) hours prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 A decision to approve a request by a Councillor to attend a meeting of the council or a committee of the council by audio-visual link will be made by the GM, who will advise the Mayor prior to the meeting, which Councillors are attending via audio-visual link.
- 5.22 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.23 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code or unless connectivity issues prevent this from occurring.
- 5.24 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.25 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.

- 5.26 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.27 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note 1: Clause 5.27 reflects section 10(2) of the Act.

Note 2: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:
- (a) at the same time as the meeting is taking place, or
 - (b) as soon as practicable after the meeting.
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.**
- 5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the GM and other staff at meetings

- 5.40 The GM is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.
- Note: Clause 5.40 reflects section 376(1) of the Act.**
- 5.41 The GM is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.
- Note: Clause 5.41 reflects section 376(2) of the Act.**
- 5.42 The GM may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the GM or the terms of employment of the GM.
- Note: Clause 5.42 reflects section 376(3) of the Act.**
- 5.43 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the GM.
- 5.44 The GM and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

members of the public) shall be with the approval of the GM.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the Mayor and the Deputy Mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the GM or, in their absence, an employee of the council designated by the GM to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the GM nor a designated employee is present at the meeting, or if there is no GM or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

7 MODES OF ADDRESS

- 7.1 If the chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.2 The general order of business for an ordinary meeting of the council shall be:
- 01 Opening meeting
 - 02 Acknowledgement of country
 - 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
 - 04 Confirmation of minutes
 - 05 Disclosures of interests
 - 06 [Adjournment for Public Forum]
 - 07 Mayoral minute(s)
 - 08 Notices of Rescission Motions
 - 09 Reports to council [including Delegates Reports]
 - 10 Reports of committees
 - 11 Notices of motions
 - 12 Questions with notice
 - 13 Confidential matters
 - 14 Conclusion of the meeting
- 8.3 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the council if a procedural motion to that effect is passed at that meeting. Such a procedural motion can be moved without notice.
- Note: If adopted, Part 13 allows council to deal with items of business by exception.**
- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.6, if the Mayor is the chairperson at a meeting of the council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A Mayoral Minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the Mayor) may move the adoption of a Mayoral Minute without the motion being seconded.
- 9.8 A recommendation made in a Mayoral Minute put by the Mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A Mayoral Minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted Delivery Program or Operational Plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral Minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the GM on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the GM, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the GM at the direction of the GM.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which, if passed, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted Operational Plan or Delivery Program must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the GM on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two councillors have spoken against it; and
 - (c) a seconder supports the motion or an amendment be now put
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.



Code of Meeting Practice

- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
- Note: Clause 11.1 reflects section 370(1) of the Act.**
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
- Note: Clause 11.2 reflects section 370(2) of the Act.**
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). When voting via audio-visual link, voice, a show of hands, or raising of a green card (yes/in favour) or red card (no/against) will be acceptable. However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot, which can only be conducted with all councillors present at the meeting in person.
- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.**

Voting on planning decisions

- 11.12 The GM must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

12.3 The GM or, in the absence of the GM, an employee of the council designated by the GM, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.

13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.

13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received **two (2) business days** before the meeting at which the matter is to be considered.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 14.12 The GM or their delegate may refuse an application made under clause 14.11. The GM or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than two (2) speakers apply to make representations under clause 14.9, the GM or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the GM or their delegate is to determine who will make representations to the council.
- 14.15 The GM or their delegate is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than two (2) speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed three (3) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor or relevant staff member and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.
- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting that is closed to the public, must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e) or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

- 15.16 Clause 15.15 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.24 A person must not live stream or use an audio recorder, video camera, digital camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee. Media representatives may seek permission prior to the meeting to photograph or film a small section of a meeting for media purposes including reporting of any major milestones or presentations. The GM will determine the appropriateness of such a request and will refer the request to the Mayor for approval prior to the meeting commencing. The Mayor will note the media attendance and intention to film or photograph when opening the meeting.
- 15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting, briefing or workshop by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting, briefing or workshop in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, briefing or workshop, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the GM no later than **5pm on the Friday following the meeting** at which the resolution was adopted.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30,



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than 9.30pm.
- 18.2 If the business of the meeting is unfinished at 9.30pm, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 9.30pm, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the GM must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the GM is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.
- Note: Clause 19.1 reflects section 375(1) of the Act.**
- 19.2 At a minimum, the GM must ensure that the following matters are recorded in the council's minutes:
- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a council meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost and which way individual councillors voted, and
 - (e) such other matters specifically required under this code.
- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The GM is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The GM must send to each councillor, regardless of whether they are a committee member, at least three (3) business days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) business days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
- (a) the Mayor, or
 - (b) if the Mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

- 20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

Code of Meeting Practice

webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June



This is a controlled document. Before using this document, ensure it is the latest version by checking QPRC's intranet, website or Electronic Document Register Management System. Printed or downloaded versions of this document are uncontrolled.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

9 OCTOBER 2024

ITEM 8.5 COUNCILLOR MEMBER AUDIT, RISK AND IMPROVEMENT
COMMITTEE (ARIC)

ATTACHMENT 1 ARIC CHARTER 2023



Queanbeyan–Palerang Regional Council

**Audit Risk and Improvement
Committee Charter**

Adopted 443/23
25 October 2023

Contents

1.	Introduction	- 3 -
2.	Mandate	- 3 -
3.	Purpose	- 3 -
4.	Role	- 3 -
5.	Authority	- 4 -
6.	Committee Composition	- 5 -
7.	Terms of Appointment	- 6 -
8.	Quorum	- 6 -
9.	Operational Principles	- 6 -
10.	Operational Procedures	- 7 -
11.	Committee Reporting	- 8 -
12.	Evaluation of Performance	- 8 -
13.	Resignation and dismissal of members	- 8 -
14.	Review of the Charter	- 9 -
15.	Approval of the Charter	- 9 -

1. Introduction

- 1.1 The Audit Risk and Improvement Committee (Committee) plays an important role in providing oversight of Queanbeyan–Palering Regional Council governance, risk management, compliance and control practices. The Committee also serves to provide confidence in the integrity of practices to enable achievement of Council's strategic objectives.
- 1.2 This charter provides the framework for performance of Committee activities.

2. Mandate

- 2.1 The mandate for establishment of the Committee is derived from Part 428A of the *Local Government Act 1993 No 30* (NSW). This requires Committee coverage to include:
 - Compliance.
 - Risk management.
 - Fraud control.
 - Financial management.
 - Governance.
 - Implementation of the strategic plan, delivery program and strategies.
 - Service reviews.
 - Providing information to the Council for the purpose of improving the Council's performance of its functions.
 - Any other matter prescribed by the regulations

3. Purpose

- 3.1 The purpose of the Committee is to provide independent assurance to QPRC by monitoring, reviewing, and providing advice about Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

4. Role

- 4.1 The Committee fulfills its responsibilities under section 428A of the Act and supports the Council by:
 - Reviewing effectiveness of governance, risk management, compliance, and control.
 - Reviewing the financial statements and performance reporting.
 - Promoting improved economy, efficiency, effectiveness, and ethical culture.
 - Reviewing reliability of management information.
 - Monitoring and evaluating internal audit performance.
 - Reviewing effectiveness of fraud control measures.
 - Monitoring compliance with laws, regulations, standards, and good practice.
- 4.2 This requires Committee oversight to encompass the broad range of functions and activities related to governance and assurance including, but not limited to:
 - Governance.
 - Risk management.
 - Controls.

- Financial management, accounting policies, financial statements and annual reporting.
- External audit.
- Internal audit.
- Compliance.
- Implementation of audit recommendations.
- Ethics and organisation culture.
- External accountability.
- Fraud and corruption control.
- Business continuity management including ICT disaster recovery arrangements.
- Security including physical security, cybersecurity and ICT security.
- Legal issues.
- Complaint management.
- Organisation performance and management reporting.
- Work health and safety.
- Environmental management.
- Major projects and business initiatives.
- Regulator activities.
- Response to significant government enquiries.

The committee has no power to direct external audit or the way it is planned and undertaken but will act as a forum for the consideration of external findings.

5. Authority

- 5.1 The authority of the Committee to perform its role is established within the scope of this charter. In discharging its responsibilities, the Committee shall have:
- No executive powers delegated financial responsibility or management functions.
 - Direct and unrestricted access to the General Manager, Directors, and Managers.
 - Seek the General Manager or relevant director's permission to meet with any other staff member or contractor.
 - Access to records, data, and reports, subject to any legal information protection or privacy requirements.
 - Authority to discuss any matters with the external auditor or other external parties, subject to confidentiality considerations.
 - The right to request attendance of management at Committee meetings.
 - The right to obtain external legal or other professional advice, subject to prior approval of the Council.
- 5.2 The Committee may engage independent advisers to assist with its duties if agreed by the General Manager.
- 5.3 Information and documents pertaining to the Committee are confidential and are not to be made publicly available, except for Committee minutes. Information may be considered being made publicly available as determined on a case-by-case basis in accordance with relevant legislation.
- 5.4 If the governing body requires additional information a request for the information may be made to the Chair by resolution. The Chair is only required to provide the information requested by the governing body where the Chair is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the *Local Government Act 1993* as

amended. Individual councillors are not entitled to request or receive information from the committee.

- 5.5 The Committee may release information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the General Manager, except where it is being provided to an external investigator or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

6. Committee Composition

- 6.1 Committee membership comprises:
- An independent Chair external to the organisation (voting)
 - A maximum of two independent members external to the organisation (voting)
 - A non-voting councillor member (excluding the Mayor).
- 6.2 The Chair and members are appointed by the Council.
- 6.3 All members (voting and non-voting) must meet the eligibility criteria set by the Office of Local Government as prescribed in the Guidelines for risk management and internal audit for local government in NSW.

The role of a non-voting governing body elected representative on the committee is to:

- Relay to the committee any concerns the governing body may have regarding the council and issues being considered by the committee
 - Provide insights into local issues and the strategic priorities of the council that would add value to the committee's consideration of agenda items
 - Advise the governing body (as necessary) of the work of the committee any any issues arising from it, and
 - Assist the governing body to review the performance of the committee.
 - Act in a non-partisan and professional manner and to not engage in any conduct that seeks to politicise the activities of the committee or the internal audit function or that could be seen to do so.
- 6.3 The Committee is supported by non-voting advisers/observers comprising the Director Corporate Services, the Manager Workplace and Performance, the Manager Finance, the Risk and Internal Audit Coordinator, the Internal Audit representative and a representative from the external auditor.
- 6.4 The Mayor and Councillors not serving on the Committee may attend Committee meetings as observers and to contribute insights to assist Committee deliberations.
- 6.5 The Chair may invite visitors to meetings as necessary to address matters on the agenda.
- 6.6 The Committee is a skill-based governance committee. Members should collectively possess sufficient knowledge of governance, assurance, audit, finance, information technology, legislation, risk management, compliance and control in addition to any special attributes relevant to the Council or its industry. Members of the Committee should have senior management experience in a relevant environment.
- 6.7 As the responsibilities of the Committee evolve in response to regulatory, economic and reporting developments, it is important that member competencies and the overall balance of skills on the Committee be periodically evaluated to respond to emerging needs.

7. Terms of Appointment

- 7.1 Committee appointments will be made by the Council.
- 7.2 Appointments to the Committee may be for an initial period of up to four years, however, membership will be staggered to enable continuity of knowledge.
- 7.3 Terms and conditions of appointment for voting members will be set out in a letter of appointment.
- 7.4 Members are eligible to be reappointed, based on performance and as approved by the Council. However, the total period of continuous membership cannot exceed eight years (including any terms as Chair of the Committee).
- 7.5 Members who have served an eight-year term must have a two-year break from serving on the Committee before being appointed again, provided eligibility criteria is met.
- 7.6 The Council will appoint one independent member to be the Chair and one independent member to be deputy Chair of the Committee. Independent members must be external to the Council.
- 7.7 Committee membership will be periodically reviewed in line with the policy for Council and sub-committee appointments.
- 7.8 Membership of the Committee comprises personal membership—proxies are not permitted.

8. Quorum

- 8.1 The quorum for the Committee shall be a majority of voting members at the relevant time.

9. Operational Principles

- 9.1 Committee values
Committee members will conduct themselves in accordance with the Council Code of Conduct.
- 9.2 Communications
All communication with management and staff, as well as with any advisers, will be direct, open and complete. The Chair will be the Committee link to the Council.
It is important the Committee Chair and members develop, establish and maintain an effective working relationship with the Council and executive management.
Any concerns or differences should be resolved by way of open negotiation, with the final arbiter being the Council.
- 9.3 Induction
New Committee members will receive information and briefings on the work of the Committee to assist them in meeting their responsibilities. Inductions for new Committee members will be arranged by the secretariat.
- 9.4 Preparation and attendance
Committee members have an obligation to prepare for and actively participate in Committee meetings. This requires members to contribute the time needed to study and understand the papers provided for meetings. Members are expected to apply good

analytical skills, objectivity and judgment, express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

9.5 Conflicts of interest

Committee members will provide written declarations to Council stating that they do not have any conflicts of interest that would preclude them from being members of the Committee on an annual basis.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest that they may have at the start of each meeting, before discussion of the relevant agenda item or issue, and when the issue arises.

Where committee members and observers are deemed to have a pecuniary or a significant non-pecuniary conflict of interest, they are to remove themselves from Committee deliberations on the issue. Details of any conflicts of interest should also be appropriately minuted.

A conflict of interest relates to any actual, potential or perceived conflict of interest.

A register of interests of Committee members will be maintained by QPRC to demonstrate transparency.

10. Operational Procedures

10.1 Meetings

The Committee shall meet at least four times each financial year and more frequently if the Council deems it necessary. A special meeting may be convened to review the financial statements or external audit management letter and opinion, or if a significant unexpected issue arises.

Meetings may be held in person, by teleconference or by videoconference.

10.2 Committee work plan

A forward work plan, including meeting dates and agenda items that ensure the Committee achieves all of its functions, will be agreed by the Committee at the beginning of each financial year.

10.3 In camera sessions

The Committee will meet privately:

- at least twice each financial year with the Risk and Internal Audit Coordinator;
- at least twice each financial year with the internal auditor; and
- at least once each financial year with the external auditor.

10.4 Dispute resolution

In the event of a disagreement between the Committee and the General Manager or other senior managers, the dispute is to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive in writing.

10.5 Secretariat services

Council will provide secretariat services for the Committee. The meeting agenda and supporting papers will be approved for distribution by the Chair and distributed by the secretariat at least five working days before each meeting. Meeting minutes will be prepared and distributed within 10 working days of each meeting.

11. Committee Reporting

11.1 The Committee through the Chair reports directly to the Council.

11.2 The Committee must ensure it maintains a direct functional reporting line for the internal auditor.

11.3 The Chair will meet with the Council on Committee outcomes at least annually.

11.4 The Committee through the Chair may report to the Council on any matters at any time it deems of sufficient importance to do so, with a process established to allow an individual Committee member to request a meeting with the Council should the member consider it warranted.

11.5 The Committee will provide the Council with an annual report at conclusion of each financial year on its operations, activities, outcomes and achievements, together with focus areas for the coming financial year.

12. Evaluation of Performance

12.1 Committee performance will be evaluated at least every two years, with results reported to the Council.

12.2 The method for Committee performance evaluation will be at the discretion of the Council.

13. Resignation and dismissal of members

13.1 Where the Chair or a Committee member is unable to complete their term, or does not intend to seek reappointment after the expiry of their term, they should give at least two meetings' notice to the Chair and Council prior to their resignation to enable Council to ensure a smooth transition to a new committee member, unless there are extenuating circumstances.

13.2 Council may terminate via resolution the engagement of any Chair or independent committee member before the expiry of their term where the individual has:

- breached Council's Code of Conduct
- performed unsatisfactorily or not to expectations
- been declared bankrupt or found to be insolvent
- experienced an adverse change in capacity or capability
- been proven to be in serious breach of their obligations under any legislation, or
- declare, or is found to be in a position of conflict of interest, which is unresolvable.

13.3 Any position of a Councillor member on the Committee can be terminated at any time by resolution of Council.

13.4 The Chair of the committee may recommend the removal of an elected representative committee member. Where Council does not agree with the Chair's recommendation, the reasons for this decision must be provided in writing to the Chair.

14. Review of the Charter

14.1 The Committee will review its Charter each financial year to incorporate any amendments deemed appropriate.

15. Approval of the Charter

Endorsed: Committee meeting held 18 September 2023
Audit, Risk and Improvement Committee

Approved: Ordinary meeting of Council held 25 October 2023
Queanbeyan–Palerang Regional Council